

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FELICE C. MORA,

No. C07-02118 MJJ

Plaintiff,

**ORDER TO SHOW CAUSE**

v.

JOHN E. PORTER,

Defendant.

The Court hereby **ORDERS** Plaintiff to show cause why this case should not be dismissed for failure to prosecute, pursuant to Federal Rule of Civil Procedure Rule 41(b).


In order to bring suit against the United States or its agencies, Plaintiff must comply with Federal Rule of Civil Procedure 4(i). This rule provides that service must be effected “by delivering a copy of the summons and of the complaint to the United States Attorney for the district in which the action is brought” or to a designated assistant United States attorney or clerical employee, or by sending a copy of the summons and complaint to the civil process clerk at the United States attorney’s office by registered or certified mail. FED. R. CIV. P. 4(i)(1)(A). Plaintiff must also send a copy of the summons and complaint to the Attorney General of the United States in Washington D.C. by registered or certified mail. *Id.* at 4(i)(1)(B). Finally, where an employee or agency of the United States is sued, Plaintiff must send a copy of the summons and complaint to the employee or agency by registered or certified mail. *Id.* at 4(i)(2)(A). Service must be made within 120 days after the complaint is filed. *Id.* at 4(m).

1 On April 16, 2007, Plaintiff filed this action. (Docket No. 1.) The record does not, however,  
2 reflect that Plaintiff complied with the service requirements of Rule 4(i). The Court therefore  
3 **ORDERS** Plaintiff to file a written response that demonstrates compliance with Federal Rule of  
4 Civil Procedure 4(i). If Plaintiff fails to file a written response within **20 days** of entry of this order,  
5 the case shall be dismissed for failure to prosecute.

6 The Court further **VACATES** the November 13, 2007 status conference in this matter. Upon  
7 receipt of Plaintiff's response to this Order, the Court may, at its discretion, reschedule the status  
8 conference.

9  
10 **IT IS SO ORDERED.**

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13 Dated: November 8, 2007

  
MARTIN J. JENKINS  
UNITED STATES DISTRICT JUDGE